

REFERENCE



# HEALTH DISTRICT INFORMATIONAL PACKET

PREPARED FOR THE MEMBERS OF THE RTM

John N. Crary  
Administrative Officer  
September 7, 2006

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## MEMORANDUM

**TO:** Karen Armour, Moderator  
Members of the RTM

**FROM:** John N. Crary, Administrative Officer *JNC*

**SUBJECT:** Creation of a Joint Health District with the Town of New Canaan

**DATE:** September 7, 2006

### Executive Summary

The Health District Planning Committee (HDPC) was formed in February 2006 to conduct an in-depth study of the proposal to form a joint Health District with the Town of New Canaan. The HDPC met throughout the months of February to April to consider all aspects of this proposal. The committee convened to review the fundamentals of this initiative including: legal formation, operation and, if appropriate, dissolution. Financial costs and probable expenses under the existing scenario of a part-time Health Director, full-time director and within the structure of a Health District were also considered. The committee also discussed the programs that are presently being offered by the Towns of Darien and New Canaan and how the services could be integrated. Consideration was also given to the probable benefits of each structure and an effort was made to identify the problems that could ensue. Finally, the committee considered the loss of control each Town would experience and the implications of this change.

Ultimately, it was the conclusion of the committee that 1) the idea had merit, 2) the services that could be offered to the Darien and New Canaan residents would be better than what is presently available, and 3) the financial impact on Darien would be better than our existing situation. The committee agreed to present the proposal to the community, hold a Public Hearing and ultimately submit the issue of a joint Health District to the RTM for their consideration.

### **Town of Darien Part-Time Health Department**

The Town of Darien's Health Department is presently considered part-time because our Health Director, Dr. Peggy McLaughlin, is not employed by the Town as a full-time employee. The staff that provides the health services to the Darien community are outside contractors, with the exception of the part-time office administrator. Vince Proto and his company provide staffing to meet all of the Town's Health Department services. This staffing is presently the equivalent of 1.67 FTE sanitarians. On August 22, 2006 the Board of Selectmen voted to increase the services provided by Mr. Proto's company (Phase 1 of his 7/17/06 proposal, see Appendix) to the equivalent of 2.50 FTE sanitarians. This proposal also requires the approval of the Board of Finance to be implemented.

### **Rationale for Creating a Health District with New Canaan**

The existing part-time Health Department has served the community for many years. However, it became apparent after 9/11 that changes were necessary in the role that public health would play in the future. The demands on the Health Department to participate in and, in some cases, lead emergency planning for such events as bioterrorism, small pox inoculation, avian flu preparations, etc. have grown steadily over the past five years. These needs have provided a strong impetus for a higher level of public health service than what presently exists. In addition, some of the services that the Health Department presently provides, such as restaurant inspections, do not meet the requirements of the State Health Department.

The Board of Selectmen's action on August 22, 2006 to approve Phase I of the Darien Health Department "Proposal to Increase Services" includes more hours for sanitarian inspections. This addition should assure that the Town of Darien will be in compliance with the CT State Health Code regarding the number of restaurant inspections required for each food establishment. The Board felt it was necessary to take immediate action on this proposal to protect our public. At this time the Board of Selectmen is not considering Phase II. Phase II will be considered during budget deliberations next year if a Health District is not formed. The entire proposal, including Phases I and II, are included in the Appendix.

The proposal to join with New Canaan was also based upon the desire of New Canaan to resolve a number of short comings in the operation of their Health Department. The New Canaan members of the planning committee expressed their commitment to improving and strengthening the services that are provided to their citizens. They also stated that if the joint proposal is not approved, that it is their plan to convert their part-time department to a full-time status and hire a full-time Health Director with sufficient staff to meet the State's requirements.

Finally, the State of Connecticut has established significant financial incentives to encourage communities to join health districts. Over the past thirty years a large number



of the State's towns and cities have taken advantage of these incentives and have either joined health districts or have changed to a full-time status. To date there are: 20 Health Districts; 29 Full-Time Departments; and 32 Part-Time Departments. During the last two years the state has been especially active in encouraging municipalities to move from the stand alone condition. Within the past 20 months the number of Part-Time Departments has decreased from 49 to 32. Annual state aid to support the costs of a Health District is \$1.66 per capita (estimated revenues of \$67,250) versus \$.49 per capita (estimated revenues of \$10,068) for a Health Department. Secondly, a Health District is eligible for and would receive grant funding from the state, federal government and private foundations to carry out a variety of health services that Darien is not eligible for as either a part-time or a full-time Health Department. While these numbers are variable, they range from \$50,000 per year to in excess of \$100,000. The considerable financial incentives that the Health District could expect enable the district to enhance the level and depth of services that they provide without significantly increasing costs that would be required under the Health Department model.

#### **Services to be Offered by a Joint Health District**

The model program the HDPC established would permit the new Health District to perform all of the required services that are expected by the State of Connecticut. These include inspections of:

- food service establishments,
- day care centers,
- on-site sewage disposal,
- well water,
- recreational areas,
- schools,
- housing and housing inspection.

Other services that the district would provide include:

- emergency planning,
- incident response to bioterrorism,
- environmental protection,
- investigation of food borne diseases.

The District would also continue, as well as enhance, such services as:

- immunization clinics,
- communicable diseases,
- health education,
- promotion services,
- home visits as appropriate.

In order to make the provision of these services as seamless as possible it is expected that the district would contract with both the Town of Darien and New Canaan to maintain office space at each Town Hall. Personnel would be available from the Health District in each Town to provide information and forms to the public. Office space would also be available to permit residents who wish to meet with Health District staff to schedule appointments and reviews to facilitate their needs. The existing practice of providing clinics and other preventive health services in each town would not be expected to change.

### **Legal Considerations in Joining with New Canaan**

The section of State law that controls this matter can be found in Chapter 368f, Section 19a-240 to 249, which is included in the Appendix. The law states that a district must be created by a vote of each Town's legislative bodies. The District would have a Board of Directors who are appointed by the Darien and New Canaan Board of Selectmen based upon their respective population. The Town of Darien would appoint three (3) members to the board for an initial term of between one and three years. New Canaan would appoint two (2) members to the Board of Directors for a term of two and three years respectively. Typically, the members who are appointed to such a board have a background in the health and medical fields. Other backgrounds that would be helpful are financial, management, government and civic involvement. These appointees represent the interests of their respective communities but they do have a greater responsibility to the "community" as a whole. The newly appointed Board would be responsible for selecting the District's Health Director and overseeing the services performed by the District and its financial operation. State law also provides a means for dissolution. Two years after the creation of the Health District either town, may by a vote of their legislative body, dissolve the District and return to their former Health Department.

Another matter that was discussed was the issue of liability for the actions of the Health District versus those under the scenario of a Health Department. It was clear that if a Health District was formed that the liability would be retained by the District, thereby shielding the Town. Liability under the Health Department model is the Town's and has to be factored into our insurance coverage.

### **Financial Considerations**

The committee considered many different scenarios for the provision of health services to the Town of Darien. For the purposes of this Executive Summary, the budget considerations have been limited to two options. They are: 1) Part Time Health Department with enhancements as proposed in Vince Proto's 7/17/06 proposal and 2) a joint Health District with New Canaan. Of course, other options include changing to a full-time status by hiring a full-time Health Director or not implementing all elements of Mr. Proto's recommendation. Included in this packet is the budget analysis that compares the two options listed and provides detailed financial estimates on the

respective revenues and expenses. The budget analysis can be found in the Appendix as D. 1. and includes the annual state aid payments that we would receive under each situation; however, it does not include grants that would only be available under the Health District structure. We believe that during the first year an estimate of \$50,000 in grants is a realistic expectation based upon lengthy meetings with officials from the State Health Department.

### **Other Considerations**

HDPC members expressed some concern that the newly formed Health District may take some action in the future that the Town of Darien would object to. A draft of the by-laws for the Health District was prepared and is presented in the Appendix. It was also suggested that a memo of understanding (MOU) be prepared that would express the intentions of all parties. New Canaan has stated that they would be agreeable to signing such a document. Some issues that were identified by the HDPC to be included in a MOU were:

- a limitation on the purchase of land or the ability to borrow of funds,
- the need for a local presence in each town's Town Hall to meet the needs of our respective citizens,
- a desire to maintain a quality program of food inspections for restaurants,
- a recall option for members of the Health District Board of Directors if the members of the Board of Selectmen felt they were not acting in accordance with their wishes.

The issue of loss of control over this important public service is certainly a consideration for all parties. A transfer of oversight responsibilities would occur from the First Selectman and the members of the Board to the appointed representatives of the Board of Directors of the Health District. The Board of Directors, rather than the First Selectman, would hire the Director of Health. The Darien members of the Board of Directors would however, be accountable to the Board of Selectmen. It is expected that the new Health Director would continue to keep the Town informed of any event that needs the attention of the Town Administration and will be responsive to our normal contacts for service. The day-to-day business of the First Selectman's office with regard to issues of health services should not be affected by this change.



# State of Connecticut

## Local Health Departments and Districts, July 2006

